

# NEBRASKA NEWS

AT LEAST ONE FATALITY IN NORTH NEBRASKA TORNADO.

## STARTS IN CUMING COUNTY

Many Houses Destroyed in Path of the Wind Which Reached Great Velocity—Legislative Blunders.

A tornado passed over northern Nebraska Thursday resulting in the death of a baby girl, aged one year, the daughter of Mr. and Mrs. Samuel Mangleson, residing in Cleveland township in Cuming county. The family was seated at dinner when the tornado, coming from the south, struck the dwelling, a large two-story house. The family consisted of Mr. Mangleson, his wife, mother and five children, all of whom were more or less injured, but the father and husband is the only one who was dangerously hurt. A splinter of wood was driven into his head, making a terrible wound, although there are hopes of his recovery.

Not a board of the dwelling was left and every building was swept from the earth.

The storm, which was accompanied by a terrific roaring noise, next hit the farm residence of Richard Waacker, a mile from the Mangleson home. The dwelling was entirely demolished, but none of the nine members of the family were dangerously injured, although all are more or less hurt.

The Glover place was the next farm house visited by the whirler. The house is a mile from the Waacker home. The wind demolished a number of farm buildings. The family escaped serious injury.

From here the storm traveled toward the northeast and struck on the farm of Henry Grissman, where all the buildings, excepting the dwelling, were completely demolished.

A half mile north of the Grissman place the tornado descended on the farm of Henry Schaeffer, where it destroyed all of the buildings, carrying the house a distance of 60 feet from its foundation. The family took refuge in an out door cave and thus escaped injury.

The tornado demolished buildings and other property on the premises occupied by William Kelley, Jacob Coeh and on the James place. Chickens, hogs, cattle and horses were killed and maimed throughout the entire path of the storm.

## BLUNDER OF LEGISLATURE.

No Time Limit on Appeal from County Boards.

The last legislature blundered when it passed Representative Mike Lee's house bill No. 427, according to information now before Attorney General Thompson. The act, which is now a law, repeals that portion of section 37, chapter 18, compiled statutes of 1905, which provides that any one desiring to appeal from the disallowance of a claim before a county board must give notice to the county clerk within 20 days of such decision. A county attorney called the attention of the attorney general to the new law and its change in the former statute. If the act remains in force all limitations will be removed and a claim disallowed by a county board can be appealed from years after the decision of the board. The act, however, leaves another provision in force in section 35, chapter 18, compiled statutes of 1905, which says upon the allowance of a claim against a county the warrant shall not be delivered to the party until the time for taking an appeal has expired, and if the appeal be taken then, not until the same shall have been determined.

## NEBRASKA COURT REVERSED.

Decision at Washington Says Liu Hop Fong Can Stay.

The supreme court of the United States decided that Liu Hop Fong, a Chinaman who came to the United States in 1899 as a student, but who has since been found working, should not be deported as was decreed by the United States district court of Nebraska. The latter declared that Hop had only studied to the extent of taking lessons in a Sunday school and finding that his certificate declaring that he was coming to the United States for the purpose of engaging in the pursuit of scholastic knowledge was fraudulent, ordered that he be sent back to China. The opinion was by Justice Day and reversed the order of the Nebraska court. Justice Day took the position that there was no testimony before the district court to justify the disregarding of his certificate as was done by that court.

## DENTIST A SUICIDE.

Dr. J. R. Walden Takes Dose of Cyanide of Potassium.

Dr. J. Ransom Walden, a prominent dentist of Holdrege, committed suicide by taking cyanide of potassium. His body was discovered by his father in the office about two o'clock, lying on a couch with life extinct, with one hand in his pants pocket and the other thrown across his stomach. A glass in which he had made the mixture was on the floor at the side of the couch. He left two notes to his wife telling her how to settle up his business and explaining what he had taken to kill himself. No reason is given for the act. He seemed to be successful in his business and his domestic relations were pleasant and happy. There was enough of the drug left in the glass to have killed 25 or 30 men. The coroner's jury brought in a verdict that he came to his death by his own hands from the effects of the cyanide. He leaves a wife and one child.

## FREMONT MAN DISAPPEARS.

Member of Ship's Crew at Seattle Goes in Night.

It is believed that Arthur Pscherer, a Fremont boy, has lost his life. The young man is missing from a boat on which he worked as a member of the crew for a construction company at Seattle, Wash. He disappeared a few nights ago, being missed at 5:30 o'clock in the morning. The boat had been in the river and there had been no possible chance for him to land. His trunk remained undisturbed in his room. The news came to Fremont recently in a letter from the boat mates to Pscherer's parents, Mr. and Mrs. Pscherer. The young man was 28 years of age. He was formerly a brakeman on the Northwestern railroad. He holds membership in the Fremont fire department and several fraternal societies.

## FARMER MURDERS HIS WIFE.

Frank Coner Commits Crime Before His Little Children.

Frank Coner, a farmer living near Marion, Neb., about 15 miles south of McCook, killed his wife and now awaits his preliminary hearing in the county jail at that place. The murder was the most cowardly and cruel and was witnessed by none but the two little children of the couple. Two bullets were fired into the wife's head. The murderer admits the killing and offers nothing in extenuation, rather desiring to be hung for the horrible crime for which he shows no more remorse than if he had killed a dog.

## Lumber Dealers Lose Out.

Attorney General Thompson has won a victory in the suit against the Nebraska Retail Lumber Dealers' association in the supreme court, which he sought to enjoin from restricting trade and free competition. Bird Critchfield, secretary of the association, is enjoined from continuing practices in restraint of trade and the officers of the association are held chargeable with knowledge of such acts and they are also enjoined from permitting the unlawful acts in violation of the statutes prohibiting combinations in restraint of trade. While the association as a body is not dissolved, several individual members are enjoined, while in some instances the report of the referees is upheld.

## Father Parts with Children.

Four children of Mr. Zimmermann have been turned over to the Nebraska Children's Home society and thereby hangs a story of sorrow. Mr. Zimmermann is a laboring man who only recently arrived from Germany. On the way over his wife sickened, died and was buried at sea, leaving the father to come on alone with the four little ones. Since he is unable in the new land to provide board for all of his little ones without the aid of the mother, he has contributed to the society all of the residu of a collection taken on board the ship for him in order that the society may not be at a loss in finding good homes, in Lutheran families, if possible, and has contracted with them, voluntarily, to pay so much per month to the society.

## Fremont Man Loses Big Sum.

William T. Cohee of Crowell complained to the Fremont police that four strangers had robbed him of drafts, notes and currency amounting to \$5,575. Cohee was in Fremont on business and went to the union passenger station to take an afternoon train for Crowell. In the crowd of passengers there while he was getting aboard the train, Cohee was rudely jostled by four men. He did not know, however, until afterwards that

## Snakes in Douglas County.

Mrs. Thomas Arnold, living a few miles south of Waterloo, stepped into a bunch of snakes and was bitten several times about the ankle. She was greatly frightened and at first thought the snakes were rattlers, but investigation showed they were not venomous.

# ANOTHER MESSAGE

PRESIDENT ROOSEVELT AGAIN REMINDS CONGRESS OF ITS DUTY TO THE PEOPLE.

## ACTION ON PENDING MEASURES URGED

Abuse of Power by Injunction and Control by the National Government Over the Great Corporations Doing an Interstate Business Especially Mentioned by the Executive.

Washington.—The following is an abstract of a special message sent to both houses of congress by President Roosevelt urging action on certain measures at this session: To the senate and house of representatives:

In my message to the congress of March 25, 1908, I outlined certain measures which I believe the majority of our countrymen desire to have enacted into law at this time. These measures do not represent by any means all that I would like to see done if I thought it possible, but they do represent what I believe can now be done if an earnest effort toward this end is made.

Since I wrote this message an employers' liability law has been enacted which, it is true, comes short of what ought to have been done, but which does represent a real advance. Apparently there is good ground to hope that there will be further legislation providing for recompensing all employees who suffer injury while engaged in the public service; that there will be a child-labor law enacted for the District of Columbia; that the waterways commission will be continued with sufficient financial support to increase the effectiveness of its preparatory work; that steps will be taken to provide for such investigation into tariff conditions, by the appropriate committee of the house of representatives and by government experts in the executive service, as will secure the full information necessary for immediate action in revising the tariff at the hands of the congress elected next fall; and finally, that financial legislation will be enacted providing for temporary measures for meeting any trouble that may arise in the next year or two, and for a commission of experts who shall thoroughly investigate the whole matter, both here and in the great commercial countries abroad, so as to be able to recommend legislation which will put our financial system on an efficient and permanent basis. It is much to be wished that one feature of the financial legislation of this session should be the establishment of postal savings banks. Ample appropriation should be made to enable the Interstate Commerce commission to carry out the very important feature of the Hepburn law which gives to the commission supervision and control over the accounting systems of the railways. Failure to provide means which will enable the commission to examine the books of the railways would amount to an attack on the law at its most vital point, and would benefit, as nothing else could benefit, those railways which are corruptly or incompetently managed.

There seems, however, much doubt about two of the measures I have recommended; the measure to do away with abuse of the power of injunction and the measure or group of measures to strengthen and render more efficient and more wise the control by the national government over the great corporations doing an interstate business. First, as to the power of injunction and of punishment for contempt. In contempt cases save where immediate action is imperative, the trial should be before another judge. As regards injunctions, some such legislation as that I have previously recommended should be enacted. The process of injunction in labor disputes, as well as where state laws are involved, should be used sparingly, and only when there is the clearest necessity for it; but it is one so necessary to the efficient performance of duty by the court on behalf of the nation that it is in the highest degree to be regretted that it should be liable to reckless use for this reckless use tends to make honest men desire so to hamper its execution as to destroy its usefulness. The strengthening of the anti-trust law is demanded upon both moral and economic grounds. Power should unquestionably be lodged somewhere in the executive branch of the government to permit combinations which will further the public interest; but it must always be remembered that, as regards the great and wealthy combinations through which most of the interstate business of to-day is done, the burden of proof should be on them to show that they have a right to exist. No judicial tribunal has the knowledge or the experience to determine in the first place

whether a given combination is advisable or necessary in the interest of the public. Somebody, whether a commission or a bureau under the department of commerce and labor, should be given this power. My personal belief is that ultimately we shall have to adopt a national incorporation law, though I am well aware that this may be impossible at present.

The decisions of the supreme court in the Minnesota and North Carolina cases illustrate how impossible is a dual control of national commerce. The nation alone can act with effectiveness and wisdom; it should have the control both of the business and of the agent by which the business is done, for any attempt to separate this control must result in grotesque absurdity. At present the failure of the congress to utilize and exercise the great powers conferred upon it as regards interstate commerce leaves this commerce to be regulated, not by the state nor yet by the congress, but by the occasional and necessarily inadequate and one-sided action of the federal judiciary. However upright and able a court is, it can not act constructively; it can only act negatively or destructively, as an agency of government; and this means that the courts are and must always be unable to deal effectively with a problem like the present which requires constructive action. A court can decide what is faulty, but it has no power to make better what it thus finds to be faulty.

Therefore it is clear that (unless a national incorporation law can be forthwith enacted) some body or bodies in the executive service should be given power to pass upon any combination or agreement in relation to interstate commerce, and every such combination or agreement not thus approved should be treated as in violation of law and prosecuted accordingly. The issuance of the securities of any combination doing interstate business should be under the supervision of the national government.

A strong effort has been made to have labor organizations completely exempted from any of the operations of this law, whether or not their acts are in restraint of trade. Such exemption would in all probability make the bill unconstitutional, and the legislature has no more right to pass a bill without regard to whether it is constitutional than the courts have lightly to declare unconstitutional a law which the legislature has solemnly enacted. The heartiest encouragement should be given to the wageworkers to form labor unions and to enter into agreements with their employers; and their right to strike, so long as they act peaceably, must be preserved. But we should sanction neither a boycott nor a blacklist which would be illegal at common law.

The measures I advocate are in the interest both of decent corporations and of law-abiding labor unions. They are, moreover, preeminently in the interest of the public, for in my judgment the American people have definitely made up their minds that the days of the reign of the great law-defying and law-evading corporations are over, and that from this time on the mighty organizations of capital necessary for the transaction of business under modern conditions, while encouraged so long as they act honestly and in the interest of the general public, are to be subjected to careful supervision and regulation of a kind so effective as to insure their acting in the interest of the people as a whole.

Allegations are often made to the effect that there is no real need for these laws looking to the more effective control of the great corporations, upon the ground that they will do their work well without such control. I call your attention to the accompanying copy of a report just submitted by Mr. Nathan Matthews, chairman of the finance commission, to the mayor and city council of Boston, relating to certain evil practices of various corporations which have been bidders for furnishing to the city iron and steel. This report shows that there have been extensive combinations formed among the various corporations which have business with the city of Boston, including, for instance, a carefully planned combination embracing practically all the firms and corporations engaged in structural steel work in New England. As regards the city of Boston, the combination resulted in parceling out the work by collusive bids, plainly dishonest, and supported by false affirmations.

I have submitted this report to the department of justice for thorough investigation and for action if action shall prove practicable.

Surely such a state of affairs as that above set forth emphasizes the need of further federal legislation, not merely because of the material benefits such legislation will secure, but above all because this federal action should be part, and a large part, of the campaign to waken our people as a whole to a lively and effective condemnation of the low standard of morality implied in such conduct on the part of great business concerns.

THEODORE ROOSEVELT.

# THE SIXTIETH CONGRESS

CONDENSED NEWS FROM THE NATIONAL CAPITOL.

The Most Important Items Gathered From Each Day's Session of Senate and House.

Washington, D. C.—A conference on currency legislation was held Wednesday between the house and senate leaders and was attended by Speaker Cannon and Senator Aldrich. The judgment of the conference was that the program lately decided on can be put through. This program calls for a caucus of the Republican members of the house, probably next week or the week following to determine the passage of a bill creating a commission to investigate thoroughly the currency subject and the financial situation of the country in general and to report on remedial legislation at the next session of congress. It is further the desire of the house Republican leaders to put through the Vreeland bill which embodies what are thought to be the best features of the Aldrich bill and eliminates the provisions to which most objection has been made. All that the senate leaders ask of the house leaders is to enact some piece of financial legislation, so that the senate will have a measure to use as a working basis, all thought of enacting of the Aldrich bill in the form in which it passed the senate having been abandoned. The program is then to have the senate strike out everything after enacting clause in the house bill and to insert the Aldrich bill. This will have the effect of throwing the amended bill into conference and care will be exercised both in the senate and in the house to appoint as conferees, members who favor some legislation at this session. It will be the task of the conferees to patch up from the Aldrich bill and Vreeland bill and the commission bill a modified act embodying such provisions as the leaders feel sure of putting through the two houses.

## No Action Against Venezuela.

Washington, D. C.—Administration officials have practically abandoned the expectation that the senate will at this session of congress authorize the president to take punitive measures against Venezuela for her refusal to refer to arbitration the disputed claims of American citizens and corporations against that country.

## Two More Arbitration Treaties.

Washington, D. C.—General arbitration treaties with Great Britain and Spain were ratified by the senate Wednesday. They are identical with treaties heretofore ratified with France, Italy, Mexico, Switzerland, Norway and Portugal.

## Passed 1,000 Bills in An Hour.

Washington, D. C.—The largest batch of pension bills to receive favorable consideration by the house this session was passed Friday. The bills aggregated over a thousand and all were put through in an hour.

## New York Catholics Rejoice.

New York.—Every Catholic church and the houses within the arch-diocese of New York were in festal array Sunday while perhaps a million men, women and children gave thanks for the progress Catholicism had made in New York since it was formally established 100 years ago. It was the beginning of the week of rejoicing in honor of the completion of a century of activity.

## Remarkable English Storm.

London.—A remarkable blizzard, the worst experienced in the south of England since 1881, continued practically all over the United Kingdom throughout Friday night and Saturday until Saturday mid-night. It was accompanied by a violent northerly gale and a low temperature, and in many places the snowdrifts are eight feet deep.

## His Natural Gas "Jag" Fatal.

Bartlesville, Ok.—John Douglas, a driller, whose home was near Harrisville, W. Va., was found dead near here Saturday morning. He was lying on a platform of a derrick of a gas well with his mouth close to a gas pipe. He had been addicted to inhaling natural gas as a stimulant.

## No Rights On Goose Island.

Topeka, Kan.—In the federal court here Friday Judge Pollock decided that the state of Kansas had no rights of law in connection with the control of Goose Island in the Missouri river, Kansas City. This was simply a confirmation of the report of the special master made recently.

## Snow in South Dakota.

Pierre, S. D.—A snow storm started here Saturday night and continued most of Sunday, growing worse Sunday evening. The temperature is mild however, and the snow is melting as fast as it falls.